

Senate Bill No. 1697

Passed the Senate August 31, 2006

Secretary of the Senate

Passed the Assembly August 28, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 395.5 to the Military and Veterans Code, relating to military service.

LEGISLATIVE COUNSEL'S DIGEST

SB 1697, Soto. Military service: benefits.

Existing law provides certain benefits and protections for members of the state militia, as specified.

This bill would require the Military Department to comply with the provisions of Section 4301 of Title 38 of the United States Code, the Uniformed Services Employment and Reemployment Rights Act (USERRA), and would provide that Military Department personnel, as specified, shall be considered employees and provided the same federal reemployment protections and benefits given to other employees under USERRA.

The people of the State of California do enact as follows:

SECTION 1. It is the intent of the Legislature to ensure that Military Department personnel who are employed on state active duty and are deployed, mobilized, or otherwise subject to any federal active service under voluntary or involuntary conditions, are provided the same federal reemployment protections and benefits given to other state employees of Section 4301 of Title 38 of the United States Code, the Uniformed Services Employment and Reemployment Rights Act.

SEC. 2. Section 395.5 is added to the Military and Veterans Code, to read:

395.5. (a) The Military Department shall comply with the provisions of Section 4301 of Title 38 of the United States Code, the Uniformed Services Employment and Reemployment Rights Act (USERRA).

(b) For purposes of USERRA, Military Department personnel who are on state active duty and are deployed, mobilized, or otherwise subject to any federal active service under voluntary or involuntary conditions, shall be considered employees and

provided the same federal reemployment protections and benefits given to other employees under USERRA.

Approved _____, 2006

Governor